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General Assembly

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Fiji and Papua New Guinea: draft resolution

Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2010 relating to New Caledonia,[1]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting further the visit of the Special Rapporteur on the rights of indigenous peoples from 4 to 13 February 2011 to New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

[1] To be issued as *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 23* (A/66/23), chap. VIII.

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1. *Welcomes* the significant developments that have taken place in New Caledonia since the signing of the Nouméa Accord on 5 May 1998 by the representatives of New Caledonia and the Government of France;[2]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony, and in this context welcomes the unanimous agreement, reached in Paris on 8 December 2008, on the transfer of powers to New Caledonia in 2009 and the conduct of provincial elections in May 2009;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and welcomes, in this context, the adoption on 18 August 2010 by the Government of New Caledonia of the law on the anthem, the motto and banknote designs;

4. *Also notes* the ongoing difficulties regarding the question of the flag and the ensuing Cabinet crisis;

5. *Acknowledges* those provisions of the Nouméa Accord relating to control of immigration and protection of local employment, and notes that unemployment remains high among Kanaks and that recruitment of foreign mine workers continues;

6. *Notes* the concerns expressed by a group of indigenous people in New Caledonia regarding their underrepresentation in the Territory's governmental and social structures;

7. *Also notes* the concerns expressed by representatives of indigenous people regarding incessant migratory flows and the impact of mining on the environment;

8. *Takes note* of the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

9. *Notes* the agreement between the signatories to the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

10. *Recalls* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

11. *Notes* the continuing strengthening of ties between New Caledonia and both the European Union and the European Development Fund in such areas as economic and trade cooperation, the environment, climate change and financial services;

12. *Calls upon* the administering Power to continue to transmit to the Secretary-General information as required under Article 73 *e* of the Charter of the United Nations;

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[2] A/AC.109/2114, annex.

13. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all sectors of the population, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

14. *Recalls with satisfaction* the efforts of the French authorities to resolve the question of voter registration by adopting, in the French Congress of Parliament, on 19 February 2007, amendments to the French Constitution allowing New Caledonia to restrict eligibility to vote in local polls to those voters registered on the 1998 electoral rolls when the Nouméa Accord was signed, thus ensuring strong representation of the Kanak population;

15. *Notes* the efforts of the French authorities to address the Cabinet crisis;

16. *Welcomes* all measures taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

17. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

18. *Notes* the financial assistance rendered by the Government of France to the Territory in areas such as health, education, payment of public-service salaries and funding development schemes;

19. *Takes note* of the conclusions of the eighteenth Melanesian Spearhead Group Leaders Summit, held in Suva on 31 March 2011, including the recommendations for the annual monitoring and assessment of the Nouméa Accord;

20. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

21. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, including the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

22. *Welcomes* the cooperation among Australia, France and New Zealand in terms of surveillance of fishing zones, in accordance with the wishes expressed by France during the France-Oceania Summits in July 2003, June 2006 and July 2009;

23. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum and the easing of short-stay visa procedures for countries of the South Pacific;

24. *Recalls with satisfaction*, in this regard, the participation of New Caledonia at the 41st summit of the Pacific Islands Forum, held in Port Vila on 4 and 5 August 2010, following its accession to the Forum as an associate member in October 2006, and welcomes the support of the Government of France for the application by New Caledonia for a full membership in the Pacific Islands Forum;

25. *Recalls* the continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

26. *Welcomes* the cooperative attitude of other States and Territories in the region towards New Caledonia, its economic and political aspirations and its increasing participation in regional and international affairs;

27. *Also welcomes* the reactivation of dialogue on New Caledonia by the Ministerial Committee of the Pacific Islands Forum in 2010 and the request of Forum leaders to the Forum secretariat to explore ways to expand the role and engagement of New Caledonia in the Forum;

28. *Recalls* the successful conclusion of the Pacific regional seminar of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, held in Nouméa from 18 to 20 May 2010;

29. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

30. *Requests* the Special Committee to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixty-seventh session.